

**House Foreign Affairs Committee
Tom Lantos Human Rights Commission**

**Briefing
on
Human Rights in Bangladesh: An Update**

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Bangladesh's next parliamentary elections, due by January 2024, will be highly consequential. Many Bangladeshis and international analysts see the country's last two national elections—in 2014 and 2018—as deeply flawed, marred by political violence and apparent irregularities undermining their popular legitimacy. Regardless of which political party wins this winter, Bangladesh needs an acceptable election to reset its political system and restore Bangladeshis' faith in their representative institutions.

The right of citizens—as individuals or within political parties—to participate freely in governance, elections, and political debate is a foundational human right and an essential component of democracy. Political rights are the cornerstone of democratic systems, allowing citizens to form political pressure groups and parties, express dissent, hold leaders accountable, and articulate preferences for foreign and domestic policies.

The United States Congress and government, international nongovernmental organizations (NGOs), and domestic actors in Bangladesh have focused considerable attention on the prospects for “free and fair” parliamentary elections in Bangladesh. A credible election requires not only transparency on election day but also fairness throughout the pre-election period. Two specific political rights are essential to guaranteeing international standards for democratic elections: 1) the right of all political parties to campaign, rally, and compete, and 2) the right of citizens to freely engage in political activities.

The Electoral Environment

By objective measures, the political environment in Bangladesh has improved to some degree over the past year, with opposition parties having more space to carry out activities. The primary opposition party, the Bangladesh Nationalist Party (BNP), and other opposition parties have held large rallies to criticize the government. Independent and opposition candidates have won local-level elections, indicating a degree of electoral fairness. The ruling Awami League has consistently said it intends to hold free and fair parliamentary elections. It has also called for international observers to monitor polls this winter, demonstrating a willingness to subject Bangladesh's electoral process to credible international scrutiny. These indicators deserve acknowledgment. However, aspects of the electoral environment need more progress.

First, political violence remains high. Competing political rallies often devolve into interparty violence. Opposition demonstrations have, at times, faced violent police crackdowns. There have been incidents in which opposition candidates are attacked, apparently without intervention from nearby police. Within

parties, rival factions engage in violence. It is vital that members and supporters of all political parties avoid violence and that Bangladesh's security forces protect all sides.

Second, the actions of the Bangladesh Election Commission often lack clarity. For example, the recent decision of Bangladesh's election commission to grant registration to relatively unknown political parties while denying registration to established and active political parties appears arbitrary. While every country is entitled to develop its own criteria for political party registration and other election regulations, these criteria should be applied transparently and equally to ensure trust in the process.

Third, the legal system appears inconsistently applied. Media sources report that thousands of opposition party members and activists currently face legal cases on a variety of charges. While Bangladesh's judiciary can and should apply the law to all citizens, including members of the political opposition when appropriate, it is imperative to avoid the appearance of bias.

Citizen Engagement

For democracy to thrive and elections to be free and fair, citizens need to feel free to support or criticize any political figure or party and to advocate for their policy preferences. Bangladesh's Digital Security Act, which empowers the government to regulate online speech, has been criticized for targeting online dissent. The Bangladesh government's recently announced plan to replace this law with the Cyber Security Act has been rightly welcomed by the United States government, international watchdogs, and other domestic actors. This action signifies the Bangladesh government's willingness to acknowledge criticism and make reforms. Still, the government should continue to seek input from domestic stakeholders about this new law and ensure that digital freedom is maintained in the buildup to the election. Bangladeshis should not fear expressing their political opinions online or in person.

More broadly, recent elections indicate declining citizen interest in politics. Historically, it was common for Bangladeshis to describe Election Day as a festival. According to official statistics, voter turnout for the 2008 parliamentary elections was over 85 percent. This year, local elections and by-elections have rarely passed 50 percent turnout and often have been significantly below this level. Conversations with ordinary Bangladeshis as well as available focus group and survey data suggest a strong interest in politics but declining faith in politicians, parties, and elections and persistent fear of challenging those in power. It is vital for Bangladesh's political parties and elected officials to restore Bangladeshis' trust in the political process.

Recommendations for the United States Congress Regarding Political Rights in Bangladesh

Continue to publicly advocate for and utilize policy tools in pursuit of free and fair elections. The United States has matched its calls for free and fair elections with tangible actions, such as the announcement that it will restrict the issuance of visas to any Bangladeshi identified as undermining democratic processes. These statements and actions are appropriate. Indeed, both the Awami League and opposition parties officially welcomed the visa restriction policy. To ensure their credibility and effectiveness, it is important that American statements and actions are applied equally to all political actors regardless of party affiliation.

Consider international election observation. International election observation missions (IEOM) can deter violence and electoral fraud. Effective IEOMs require substantial resources, time, and personnel to coordinate, as well as minimum conditions of electoral transparency and participation. If such conditions exist in Bangladesh, the United States and other international actors should consider observing the polls.

Continue and expand nonpartisan democracy assistance to democratic stakeholders. Credible elections in Bangladesh require not only fair processes but also democratic actors that are informed, equipped, and empowered to participate. Democracy-assistance programs can train new candidates, particularly from traditionally marginalized groups like women and youth, to run effective and citizen-responsive campaigns; provide civic education to inspire political participation; encourage nonviolent political debate and competition; promote intraparty democracy; and foster data-driven journalism and policy advocacy. These core components of Bangladesh's democracy must be nourished and sustained alongside strengthened institutions to ensure free and fair elections in Bangladesh.

In sum, progress has been made toward free and fair elections in Bangladesh, but with approximately five months left before the next parliamentary contest, more work is needed to create an environment in which parties and citizens of all creeds and ideologies trust the political process. The United States should continue to stand with democratic actors in Bangladesh, but ultimately Bangladesh's democracy is in the hands of citizens.